

# **Education: Special Education Services**

Rhode Island Department of Children, Youth, and Families  
Division of Juvenile Correctional Services: Training School and Detention Center

**Policy: 1200.1725**

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The Education Program recognizes that every youth with a disability, as defined by The Individuals with Disabilities Education Act (IDEA), is entitled to free appropriate public education (FAPE). This entitlement exists for all eligible children and youth, including those involved in the juvenile justice system.

The Education Program recognizes that IDEA requires that, "to the maximum extent appropriate," youth with disabilities, including those in public and private institutions or other care facilities, are educated with youth who are not disabled. Placement in special classes, separate schooling, or other removal from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved. This provision is often referred to as the requirement for education in the "least restrictive environment."

The Education Program staff identifies and evaluates all students with disabilities and implements a system to determine students who are currently receiving special education and related services. The Education Program provides special programs in accordance with state and federal requirements, including the implementation of procedural safeguards.

**Related Procedures...**

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### Procedure from Policy 1200.1725: Education: Special Education Services

- A. Under the 1997 IDEA amendments, a Local Education Authority (LEA) is required to have an individualized education program (IEP) in effect at the beginning of each school year for each youth with a disability in its jurisdiction. Federal regulations call for no more than 30 days to pass between the determination that a student needs special education and related services and the conduct of the meeting to develop an IEP for the student. A team that includes the following people develops the IEP:
  - 1. The student's parents or advocate/legal guardian.
  - 2. At least one regular education teacher of the student (if the youth is or may be participating in a regular education environment).
  - 3. At least one special education teacher of the student or, if appropriate, at least one special education provider of the student.
  - 4. A qualified representative of the LEA.
  - 5. An individual who can interpret the institutional implications of evaluation results.
  - 6. Others (at the discretion of the parents or the Education Program) who have knowledge or special expertise regarding the youth, including related service personnel as appropriate. This category also could, at the discretion of the parents or the agency, include persons such as probation officers, institutional staff, or other service providers with knowledge or special expertise regarding the youth.
  - 7. The student with a disability (if appropriate).
- B. Special education services must be implemented in the larger context of general academic and vocational programs because of the tentativeness of the length of a student's stay. Instructional strategies must address learning or behavioral problems and involve parents, guardians, or surrogates.
- C. The implementation of appropriate instructional strategies must also address transition services for youth released to the community. In addition, accommodations for youth with disabilities will be implemented in the school.